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Practitioner's Docket No. 915.387

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Johnson

Application No.: 09/894,696

Group No.: 2681

Filed: June 28, 2001

Examiner:

For: Electronic Device

Conf. No. 6433

RECEIVED

JUN 24 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

**AMENDMENT, PETITION AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))**

NOTE: "All the inventive entity is set forth in error in an executed § 1.63 oath or declaration in an application, other than a reissue application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f) states: "If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship.

"(2) If the correct inventor or inventors are not named on filing a provisional application without a cover sheet under § 1.51(c)(1), the later submission of a cover sheet under § 1.51(c)(1) during the pendency of the application will act to correct the earlier identification of inventorship."

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on 6/28/01 (date).
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

☒ Add the following previously unnamed person(s) as inventor(s) of this application:

Andrew ARMSTRONG

Neil CHARMAN

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 6/5/02

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Anita Schelmeric
(type or print name of person certifying)

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in Declaration (37 C.F.R. § 1.48(a) [9-22]—page 1 of 2)

☐ Delete the following previously incorrectly named inventor(s)

3. Attachments

Attached is

- (a) A statement from: *(check items below that apply)*
- ☒ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
 - ☐ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
 - (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).
 - (c) written assent of the assignee *(if any of the original inventors executed an assignment)* 37 C.F.R. 1.48(a)(4)
 - (d) *(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)*
 - ☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i)–\$130.00)

The fee required is paid as follows:

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 130.00
- ☒ Authorization is hereby made to charge the amount of \$ _____
 - ☒ to Deposit Account No. 23-0442 Any deficiencies
 - ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should *not* be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

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SIGNATURE OF PRACTITIONER

Alfred A. Fressola

(type or print name of practitioner)

Ware, Fressola, Van Der Sluys & Adolphson LLP

P.O. Address

755 Main Street, Building Five
Monroe, CT 06468

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named Inventor(s) in Declaration
(37 C.F.R. § 1.48(a) [9-22]—page 2 of 2)